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Enforcement And Compliance Assurance (2225A)

# Worker Protection Field Inspection Pocket Guide



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## DISCLAIMER

While unlikely, if any discrepancies are noted between this document and 40 CFR Part 156, subpart K or 40 CFR Part 170, 40 CFR Parts 156 and 170 shall be controlling. Please notify Amar G. Singh at (202) 564-4161 if any discrepancies are found.

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## **BACKGROUND ON THE WORKER PROTECTION STANDARD**

### **The Worker Protection Standard**

The Environmental Protection Agency (EPA) revised its Worker Protection Standard (WPS) issued under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) for agriculture pesticides in August 1992 to reduce risks of illness or injury resulting from worker pesticide exposure in agricultural production. The scope of the regulation includes not only workers performing hand labor operations in fields treated with pesticides, but also workers in forests, nurseries, and greenhouses, and employees who handle (mix, load, apply, etc.) pesticides in these locations. The Standard requires warnings about applications, use of personal protective equipment (PPE), and restrictions on entry to treated areas. There are also provisions for decontamination, emergency assistance, maintaining contact with handlers of highly toxic pesticides, and pesticide safety training.

The WPS labeling regulations (40 CFR Part 156, subpart K) required that certain statements be placed on the labeling of all pesticide products that bear directions for use in the production of any agricultural plant on any agricultural establishment. Registrants of affected pesticides were required to revise the product labeling by April 21, 1994, in accordance with Pesticide Regulation (PR) Notice 93-7 and 93-11, to comply with WPS labeling requirements. Products sold or distributed by registrants after April 21, 1994, were required to have WPS labeling (except for a limited number that were included in the

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"released for shipment" option in PR-Notice 93-11). The WPS also required that any agricultural pesticides sold or distributed by any person (including pesticide retailers and distributors) after **October 23, 1995**, must bear labeling that complies with the WPS. To meet this deadline the EPA issued PR Notice 95-5 to retailers and distributors of agricultural pesticides to provide guidance on : 1) how to recognize pesticide products in their possession that do not comply with the WPS requirements, and 2) how to bring all applicable product labels into compliance with WPS requirements, so that such products could be legally sold and distributed after October 23, 1995.

In response to farm workers groups and grower groups, on May 3, 1995, EPA issued the following five regulatory actions in the Federal Register, Vol. 60, No. 85 to revise elements of the 1992 WPS. These actions (1) shorten the time periods before which employers must train workers in pesticide safety; (2) exempt qualified crop advisors from certain requirements; (3) allow early entry to pesticide treated areas to perform time sensitive irrigation activities; (4) allow early entry to pesticide treated areas to perform certain time sensitive activities resulting in "limited contact" with pesticide-treated surfaces; and (5) allow registrants to amend the labels to reduce the restricted entry intervals (REIs) from 12 hours to 4 hours for certain low risk pesticides.

On June 26, 1996, the EPA issued two amendments in Federal Register, Vol. 61, No. 124 to the WPS to allow substitution of an alternate language commonly spoken and read by workers

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for the Spanish portion of the warning sign. This amendment also allows use of smaller warning signs (two sizes) in greenhouses and nurseries.

This WPS rule applies to all agricultural establishment owners, even if they, or members of their family, do all the work. In such a situation, the owners have to comply with some requirements such as restricted-entry intervals, PPE, and all specific requirements listed on the pesticide labeling although they are exempt from some WPS requirements, such as posting information at a central location, pesticide safety training, decontamination supplies, emergency assistance, and notice about applications. The WPS does not allow any exemptions for owners of commercial pesticide handling establishments, or persons who operate or manage, but do not own, an agricultural establishment.

#### Legal Authority

EPA's authority to implement the Worker Protection Standard is authorized by section 25(a) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), 7 U.S.C. 136 w(a). FIFRA requires that all pesticide products be registered with the EPA (unless specifically exempt) and makes it "unlawful for any person to use any registered pesticide in a manner inconsistent with its product labeling." EPA promulgated the following WPS rules on August 21, 1992. They became effective October 20, 1992.

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- Labeling Requirements for Pesticides and Devices, 40 CFR Part 156, Subpart K.
- The Worker Protection Standard, 40 CFR Part 170.

#### **Pesticide Labeling Requirements; 40 CFR part 156, subpart K**

These requirements are discussed in Chapter III, Section 1 - Registrant/Producer Establishment and Marketplace/Dealer Inspections (Page 15).

#### **The Worker Protection Standard (WPS); 40 CFR part 170**

In addition to covering agricultural workers, the WPS includes persons who handle pesticides for use on agricultural establishments. The Standard covers all pesticides used in the production of agricultural plants on farms, forests, nurseries, and greenhouses. These requirements are discussed in Chapter III, Section 2 - Use Inspections (Page 27); and the exceptions to the WPS are listed below.

[(Reference EPA's How To Comply Manual (HTC), dated July 1993, pps. 9-11)]

#### **EXCEPTIONS: [( 170.102(b)(1) and 170.202(b)(1)]**

Some pesticide uses are not covered by the WPS. Even when the Agricultural Use Requirements section is on the label if product is to be applied to rights-of-way, such a use is not

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covered by the WPS. The WPS does not cover pesticides applied:

- for mosquito abatement, Mediterranean fruit fly eradication, or similar wide-area public pest control sponsored by governmental entities.

NOTE: The exception at 170.102(b)(1) and 170.202(b)(1) does not extend to those cooperative programs in which the growers themselves make or arrange for pesticide applications to their crops. Examples of such applications are boll-weevil or gypsy moth applications which the growers arrange for or make.

(See 7.16 Q & A in WPS Q & A Document ).

- on livestock or other animals, or in or about animal premises.
- on plants not grown for commercial or research purposes.
- on ornamental plants in gardens, parks, lawns, etc.
- for uses not directly related to agricultural plant production (e.g., pastures, rangelands, structures, right-of-way areas, etc.).
- for control of vertebrate pests.
- as attractants or repellents in traps.

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- on the harvested portions of agricultural plants or on harvested timber.
- for research uses of unregistered pesticides.

In addition, the Standard does not apply to employers of workers when the pesticide is applied on an agricultural establishment by injection directly into agricultural plants. However, people who handle pesticides that are to be applied by direct injection **ARE** covered by the WPS and must receive handler protections. Chemigation, soil-incorporation, soil injection, hack and squirt or frill and spray are covered by WPS.

(Reference: EPA's HTC, p. 17)

## SUMMARY OF EFFECTIVE DATES

### Registrants' Implementation Schedule

Table 2.1 is a schedule established by EPA for registrants to make the WPS-required alterations to pesticide product labels.

\* NOTE: The April 21, 1994 date applies to bulk pesticides repackaged by dealers or others under the Bulk Repackaging Policy. All registrant labeling requirements apply.

Table 2.1 Registrants' Compliance Schedule \*

Compliance Date	Revise Pesticide Product Labels
Before April 21, 1993	<ul style="list-style-type: none"><li>• No products bearing the WPS-required statements may be sold or distributed.</li></ul>

**COMPLIANCE DATES**

Compliance Date	Revise Pesticide Product Labels
After April 21, 1994	<ul style="list-style-type: none"> <li>• All affected products sold or distributed by registrants must bear revised labeling with the WPS-required statements.</li> <li>• <b>NOTE:</b> Registrants selecting released for shipment option before Jan. 1, 1994, may sell or distribute products without bearing labeling that complies with WPS if registrant agreed to recall and relabel the product after Oct. 23, 1995.</li> <li>• During producer establishment inspections and at warehouses owned/operated/leased by the registrant, inspectors should verify that product labels are in compliance.</li> </ul>

**COMPLIANCE DATES**

Compliance Date	Revise Pesticide Product Labels
After Oct. 23, 1995	<ul style="list-style-type: none"> <li>• All affected products sold or distributed by anyone must bear or be accompanied by WPS labeling with the WPS-required statements or under very limited circumstances, with generic WPS labeling.</li> <li>• During marketplace inspections, inspectors should verify that product bears WPS labeling.</li> </ul>
After Oct. 23, 1996	<ul style="list-style-type: none"> <li>• Product bearing 95-5 stickering may not be sold or distributed.</li> </ul>

**WPS COMPLYING LABELING**

During marketplace inspections, inspectors must verify that the label, labeling or replacement labeling for the pesticide contains the following worker protection statements:

- ◆ Application Statements
- ◆ Reference Statements (which requires users to comply with the WPS),



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- ◆ Product-Type Identification Statements, e.g. organophosphate
- ◆ State Restriction
- ◆ Spanish Warning Statements,
- ◆ Product-Specific Statements, e.g., REI's, PPE Statements and Notification to Worker Statements.

(Please reference EPA's PR Notice 93-11.)

Inspectors may find one of the following WPS Complying labeling products in the channels of trade:

- Final product-specific replacement labeling submitted by the registrant to comply with PR Notice 93-7, 93-11 or through certification. **May be sold after 10/23/96.**
- Registrant verified labeling with deviations pre-approved by EPA. **May be sold after 10/23/96.**
- Revised EPA accepted labeling or registrant-verified labeling as either final or interim labeling (sticker plus replacement labeling) to comply with PRN 93-11. Acceptable interim labeling must consist of:
  - a) a sticker affixed onto product package of an existing label and must include required text with title, "**REPLACEMENT LABELING**" (crucial for identifying 93-11 product!) "Stop! The label on this pesticide is no longer in effect. Follow replacement labeling received at sale....", and
  - b) product-specific replacement labeling referenced by the sticker need not be attached to container and must contain

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the final PRN 93-11 complying labeling (as EPA-accepted or registrant-verified). It is the registrant's responsibility to ensure that the replacement labeling accompanies the product at the time of sale to any end users.  
**May be sold after 10/23/96.**

**NOTE:** For "Stop stickers", American Crop Protection Association (ACPA) used a specific color combination, a yellow background with black lettering, for their members. The Agency **NEVER** made a specific color combination mandatory for 93-11 stickers. **DO NOT** rely on color of product stickers to identify 93-11 product!

- Product labeling taken out of WPS scope through use-deletions in compliance with PRN 93-11. **May be sold after 10/23/96 provided deletions occurred.**
- Product labeling taken out of scope through the addition of pre-approved exclusionary statements in compliance with PRN 93-11. **May be sold after 10/23/96 provide statement is on the label.**
- Generic WPS Supplemental labeling for products released for shipment before January 1, 1994 and sold prior to October 23, 1995. After that date, products must bear final product specific replacement labeling. **Cannot be sold after 10/23/95.**
- Dormant products with agricultural uses but without WPS-complying labeling. **Cannot be sold after 10/23/96.**
- Products outside the scope of the WPS may have stocks of products that still have the previous label and thus are within the

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WPS scope, cannot be sold after Oct. 23, 1995 unless relabeled with the non-WPS label.

**PR Notice 95-5** applied to stocks of registered products subject to the WPS, which do not have required WPS labeling and are under custody or control of wholesalers or retailers and could not be sold or distributed after October 23, 1995. Any relabeling of non-complying products with WPS labels was to be done in cooperation with, and under the written authorization of the registrant. WPS-related relabeling under PR Notice 95-5 could occur at any site without registration of the site as a pesticide producing establishment by the registrant or a retailer or wholesaler could be authorized to relabel the product. Products could be relabeled by replacing existing labeling with final printed WPS-complying replacement labeling supplied by the registrant of the product. Such labeling must be affixed to the product package.  
(May be sold after 10/23/96).

Alternatively, products could be relabeled by using supplemental product specific labeling that was provided with each product when offered for sale to the end user (Cannot be sold after 10/23/96).

**PRODUCTS BEARING 95-5 COMPLYING LABELING**

1. Final printed WPS-complying replacement labeling supplied by the registrant of the product. Such labeling must be printed on or affixed to the product package.  
May be sold after 10/23/96.
2. Final WPS-complying replacement labeling may also be designed to modify existing labeling by adding the required WPS labeling statements without replacing the entire existing

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labeling. The replacement labeling must be affixed in such a way so that it must not alter or obscure the other portions of the label text that remain unchanged.  
May be sold after 10/23/96.

3. Products with "STOP sticker" affixed to the label with the text, "STOP! Use this product only in accordance with the Worker Protection Standard, 40 CFR Part 170, and the Supplemental Labeling with Worker Protection Requirements," which must be provided when the product is offered for sale. Two types of supplemental product-specific labeling are:  
A) single product supplement or  
B) multi-product supplement.  
Cannot be sold after 10/23/96.

**NOTE:** For "Stop stickers", ACPA members used a 95-5 specific color combination, an orange background with black lettering. The Agency did not require a specific color scheme for the stickers, so it is **NOT** possible to rely on sticker colors for identification of 95-5 products for all registrants.

4. Orphaned or canceled products may bear "Stop sticker" and generic supplemental labeling that is provided when the product is offered for sale to the end-user. Canceled products without WPS complying labeling may be sold after 10/23/96 if in compliance with cancellation order.  
May be sold after 10/23/96.
5. Dormant product labeling must be amended to include the WPS requirements or amend the product registration to delete any WPS uses. May be sold after 10/23/96.

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6. Buy-out or transferred products with final WPS-complying replacement labeling. **May be sold after 10/23/96.**
7. Buy-out or transferred products with "Stop sticker" and supplemental product-specific replacement labeling that meets PR 95-5 requirements. **Cannot be sold after 10/23/96.**
8. **Deleted-Use products** with the final printed replacement labeling or marking/blocking out all WPS uses and references to WPS uses. **May be sold after 10/23/96.**

By October 23, 1996, all pesticide products being sold or distributed must bear final printed replacement labeling except for products correctly interim-labeled per PR Notice 93-11 and a limited number of products that were included in the "release for shipment" option in PR Notice 93-11. Supplemental product-specific replacement labeling will not be allowed after this date.

#### Pesticide Users' Compliance Schedule

All WPS requirements are in effect when a pesticide product with the WPS reference statement is used.

#### SPECIFICS OF THE INSPECTION PROCESS

##### Section 1. REGISTRANT/PRODUCER ESTABLISHMENT & MARKETPLACE/DEALER INSPECTIONS (Reg./Prod. Est. & Mkt./Dealer Inspections)

For additional information on inspection activities, please refer to the Worker Protection Inspection Guidance and EPA's National Pesticides Inspection Manual. This Worker Protection Field Inspection pocket guide addresses only those specific requirements found at 40 CFR part 156, subpart K.

##### Requirements Based on 40 CFR Part 156, subpart K

(For information regarding specific compliance dates, please refer to Chapter II of this pocket guide.)

Inspectors must verify that the label or labeling for the pesticide contains worker protection statements. These labeling statements are described below. For more specific examples, please refer to the sample pesticide label in the Worker Protection Inspection Guidance.

##### Labeling Statements

The statement headings are followed by their specific reference number from 40 CFR part 156, subpart K.

##### APPLICATION STATEMENTS [Section 156.206(a)]

Check for the application statements under the heading DIRECTIONS FOR USE. This statement prohibits application

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of the product in any way that will contact workers or other persons directly or through drift.

DIRECTIONS FOR USE

Do not apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application.

REFERENCE STATEMENTS [Section 156.206(b)]

Verify that the 40 CFR part 170 reference statements are on the product label as required. They should appear at the beginning of AGRICULTURAL USE REQUIREMENTS, under DIRECTIONS FOR USE. This statement requires users to comply with the Worker Protection Standard (40 CFR part 170).

AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170.

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PRODUCT-TYPE IDENTIFICATION STATEMENTS [Section 156.206(c)]

The label shall state whether the product:

- contains an organophosphate
- contains N-methyl carbamate
- is a fumigant

These may appear under the ACTIVE INGREDIENTS heading or STATEMENT OF PRACTICAL TREATMENT. (See Appendix C of EPA's Worker Protection Inspection Guidance Manual for active ingredient list).

STATE RESTRICTIONS [Section 156.206(d)]

Check for statement referring to State restrictions. The State restrictions statement appears under the heading DIRECTIONS FOR USE. Each user is responsible for complying with State-specific regulations in addition to Federal regulations.

DIRECTIONS FOR USE

For any requirements specific to your State, consult the agency in your State responsible for pesticide regulation.

**SPANISH WARNING STATEMENTS** [Section 156.206(e)]

Inspect label for Spanish warning statements for products classified in toxicity category I and II. For products classified in category I or II, the signal words "danger" and "warning" are required on front panel in both English and Spanish. A message in English and Spanish must be adjacent to the signal word telling users to have all labeling explained if they do not understand the label. The signal word and message appear under the heading **KEEP OUT OF REACH OF CHILDREN**.

(Table 3.1 provides an example of the required wording)

**Table 3.1 Spanish Warning Statements**

Labeling Requirements	Toxicity Cat. I	Toxicity Cat. II
Spanish Signal Word	Peligro	Aviso
English Signal Word	Danger	Warning
Spanish Statement	Si Usted no entiende la etiqueta, busque a alguien para que se la explique a Usted en detalle.	
English Statement	If you do not understand the label, find someone to explain it to you in detail.	

**PRODUCT-SPECIFIC STATEMENTS** [Section 156.206(c)]

The signal word and message appear under the heading **KEEP OUT OF REACH OF CHILDREN**.

**RESTRICTED-ENTRY STATEMENTS** (Section 156.208)

Check for restricted-entry statements on product label or labeling under the heading **AGRICULTURAL USE REQUIREMENTS** which is under **DIRECTIONS FOR USE**. All agricultural pesticide labels must have a restricted-entry statement, although the statement will vary depending on the toxicity of the product.

**Table 3.2 Restricted-Entry Interval for Products Containing One Active Ingredient**

Toxicity Category	REI
I	48 hours
II	24 hours
III	4 or 12 hours
IV	4 or 12 hours

**EXCEPTIONS/VARIATIONS: Restricted-Entry**

- If the active ingredient is an organophosphate or an N-methyl carbamate that inhibits cholinesterase and which is applied outdoors in an area where the average annual rainfall for the application site is less than 25 inches per year, then the REI is 72 hours. [Section 156.208(c)(2)]
- Entry restrictions for fumigants are based on a case-by-case basis at the time of registration, or other Agency review process.
- If the product contains more than one active ingredient, the REI is based on the active ingredient that requires the longest restricted-entry interval. [Section 156.208(c)(3)]
- Existing product-specific entry intervals based on data collected in accordance with other EPA regulations in 40 CFR part 158.390 should override any general REI. [Section 156.208(e)]
- Interim product-specific entry intervals should continue to apply unless a longer REI is required based on the requirements in the Rule (i.e., see Table 3.2). [Section 156.208(f)]
- In some product-specific cases, the REI may be longer than the active ingredient toxicity category REI.

**NOTIFICATION-TO-WORKER STATEMENTS [Section 156.210(a)(b)]**

**Check for notification-to-workers of pesticide applications statements under AGRICULTURAL USE REQUIREMENTS, DIRECTIONS FOR USE.** If a product is highly toxic for acute dermal toxicity or skin irritation potential, the label must require both an oral warning and the posting of warning signs. For any fumigant that may be used in a greenhouse, a statement on the label requires users to notify workers by warning them orally and by posting warning signs outside all entrances to the greenhouse.

**PERSONAL PROTECTIVE EQUIPMENT STATEMENTS [Section 156.212(c)(1)(2)]**

Check for personal protective equipment (PPE) statements for pesticide handlers in the HAZARDS TO HUMANS (& DOMESTIC ANIMALS) section of the labeling. **PPE statement for early-entry workers is placed in the DIRECTIONS FOR USE section.** A statement which specifies the minimum requirements for PPE based on the acute toxicity of the end-use product must appear on the label.

A summary of PPE requirements is shown in Table 3.3.

Table 3.3 Min. PPE Req.s &amp; Work Clothing for Handling Activities

Route of Exposure	Toxicity of the End-Use Product	
	I	II
Dermal Toxicity or Skin Irritation Potential*	<ul style="list-style-type: none"> <li>Coveralls worn over long-sleeved shirt and long pants</li> <li>Socks</li> <li>Chemical-resistant footwear</li> <li>Chemical-resistant gloves</li> </ul>	<ul style="list-style-type: none"> <li>Coveralls worn over short-sleeved shirt and short pants</li> <li>Socks</li> <li>Chemical-resistant footwear</li> <li>Chemical-resistant gloves</li> </ul>
Inhalation Toxicity	Respiratory protection device	Respiratory protection device
Eye Irritation Potential	Protective eyewear	Protective eyewear
	III	IV
	<ul style="list-style-type: none"> <li>Long-sleeved shirt and long pants</li> <li>Socks</li> <li>Shoes</li> <li>Chemical-resistant gloves</li> </ul>	<ul style="list-style-type: none"> <li>Long-sleeved shirt and long pants</li> <li>Socks</li> <li>Shoes</li> <li>No minimum (gloves)</li> </ul>
Inhalation Toxicity	No minimum	No minimum
Eye Irritation Potential	No minimum	No minimum

If dermal toxicity and skin irritation are in different toxicity categories, protection shall be based on the more toxic (lower numbered) category.

Other PPE that may be required include:

- headgear
- apron
- chemical resistant suit

Some product labels bear more stringent personal protective equipment requirements. These generally will be retained.

The Rule contains more detailed requirements for various PPE (e.g., chemical resistant gloves, respiratory protection devices). These are described below.

**Chemical-resistant gloves.** [Section 156.212(f)] If chemical-resistant gloves are required, the registrant must specify the glove type. For more specific information on glove types, please refer to the Worker Protection Inspection Guidance. (Reference EPA's Worker Protection Inspection Guidance, page III-9).

**Respirator requirement.** [Section 156.212(g)] If a product is moderately to highly toxic through inhalation, the label will require the user to wear a specific type of respirator approved by NIOSH and MSHA. Depending on the toxicity, formulation, and physical characteristics of the product -- and on the exposure situation -- the label will specify a dust/mist filtering

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respirator, an organic-vapor-removing respirator with a pesticide pre-filter, or an air-supplying respirator. Guidelines are as follows:

Existing respirator requirement for handlers on product labeling. [Section 156.210.(g) If it is before the effective date of this subpart and the product labeling already indicates that respiratory protection is required, that requirement shall be retained.

If the respirator type is already specified, the label shall be amended to reflect the MSHA/NIOSH approval number. For more information on the types of and criteria for identifying respirators, refer to the WPS Inspection Guide.

New respirator requirement for pesticide handlers. If the existing product labeling has no respiratory requirement, but a respiratory device is required under the revised WPS, the registrant shall add a statement that specifies a "dust/mist filtering respirator with MSHA/NIOSH approval number prefix TC-21C."

Additional PPE requirements for handlers. In addition to the minimum personal protective equipment required in Table 3.3, the following instructions may apply:

- If the product is not ready-to-use and no requirement exists for a chemical-resistant suit, the following statement must appear: "Mixers/Loaders: add a chemical-resistant apron."

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- If the application may result in overhead exposure to any handler, the following statement must appear; "Overhead Exposure: wear chemical-resistant headgear."
- If any type of equipment other than the product container may be used to mix, load, or apply the product, and there is no requirement for a chemical-resistant protective suit, the following statement shall appear; "For Cleaning Equipment: add a chemical-resistant apron."

(Reference EPA's HTC, pps. 82-83)

PPE for early entry workers. [Section 156.212(j)] Specific requirements for early entry workers are as follows:

- For all pesticide products, the following statement shall appear: "For early entry to treated areas that is permitted under the Worker Protection Standard and involves contact with anything that has been treated, such as plants, soil, or water, wear (list the body protection, glove, footwear, protective eyewear, and protective headgear, if applicable, for applicators and handlers, but omit any respiratory protection statement)."
- If the body protection statement in the PPE statement for handlers specifies a long-sleeved shirt and long pants, "coveralls" must be specified in the PPE statement for early entry workers.



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- If there is no statement requiring gloves and no statement prohibiting gloves for applicators and handlers under the heading HAZARDS TO HUMANS (AND DOMESTIC ANIMALS) in the labeling, a statement requiring "waterproof gloves" should be added to the statement of PPE for early-entry workers.

(Reference EPA's HTC, pps. 69-70)]

## SPECIFICS OF THE INSPECTION PROCESS

### Section 2. USE INSPECTIONS

In terms of WPS, use inspections cover agricultural sites, such as farms, forests, nurseries, and greenhouses. These inspections are conducted to ensure that users of agricultural pesticides subject to the WPS are complying with the requirements of the product label. The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) makes it unlawful to use any registered pesticide in a manner inconsistent with its labeling [(FIFRA section 12(a)(G))].

The inspection involves reviewing the labeling and practices of agricultural employers/employees to ensure that users are in compliance with:

- Product-specific worker protection requirements found on the pesticide product labeling (PPE, REIs, and oral and posted warnings).
- Generic WPS requirements (e.g., pesticide safety information decontamination sites, safety training, emergency assistance, and notification to workers) are enforceable when the WPS reference statement appears on the labeling.

#### Requirements based on 40 CFR part 170

This section has been revised to include the five amended regulatory actions published in the Federal Register (FR), Vol. 60, No. 85, on May 3, 1995 and two amendments published in FR Vol. 61, No. 124, June 26, 1996 amending

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the 1992 WPS.

The inspector must check the following eight major compliance areas covered by the WPS:

1. Notification and Posting of Pesticide Application
2. Application and Entry Restrictions
3. Personal Protective Equipment (PPE) and pesticide handling equipment
4. Pesticide Safety Training
5. Pesticide Safety Information
6. Decontamination Supplies for Handlers and Workers
7. Emergency Assistance Procedures
8. Retaliation

Each of these are discussed below. After each heading is the specific cite from 40 CFR 170 for Workers and/or Handlers.

### 1. NOTIFICATION AND POSTING OF PESTICIDE APPLICATION (For Workers, see Sections 170.120 & 170.124; for Handlers, see Section 170.224)

To ensure that notification and posting requirements for pesticide applications complies with the WPS label, the inspector, through interviews and observations, must:

- Check that the treated area is/was posted with warning signs in the required format and manner if required by the labeling and removed within 3 days after the end of

## USE INSPECTIONS

restricted-entry interval before agricultural-worker entry is permitted (refer to Table 3.4 on page 30) and

- Verify that oral notification of the pesticide application was given to all workers at the site, if required. (Refer to Table 3.5 on page 35)

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**Table 3.4 Requirements for Posted Warning Signs**

Requirements for Posted Warning Signs
<p><b>Required Words: (legible)</b></p> <ul style="list-style-type: none"> <li>Use alternative language for Spanish portion of the warning sign with translations of "Danger", "Pesticides" and "Keep Out" in ten different languages.</li> </ul> <p><b>Required Design:</b></p> <ul style="list-style-type: none"> <li>Bears the WPS warning-sign symbol [stern face (on right) and raised hand (on left) within a circle near the center of sign)].</li> <li>Color requirements - background contrasts with inside of circle; hand and face contrast with inside of circle, and remainder of circle is red.</li> <li>Size Requirements - 14" x 16" <b>except</b> if treated area is too small to accommodate 14" x 16" sign. Letters must be at least 1" high.</li> <li>Greenhouses and nurseries may use two smaller signs, provided minimum letter size and posting distances are observed.</li> </ul> <p><b>Signs must:</b></p> <ul style="list-style-type: none"> <li>Be visible from all usual points of worker entry to the treated area.</li> <li>Be posted no sooner than 24 hours before the scheduled application.</li> <li>Remain posted throughout the application and REI e).</li> <li>Be removed within 3 days after the application and the REI expires, and before allowing workers to enter the treated area.</li> </ul>

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- \* The warning sign may contain additional information **ONLY** if it does not alter the meaning of the required information or otherwise detract from the appearance.

### WORKER PROTECTION WARNING SIGN---LANGUAGES

On June 26, 1996, EPA issued two final amendments to WPS to allow **substitution of an alternate language** commonly spoken and read by workers for the Spanish portion of the warning sign. The sign must be visible, legible, and in the required format. Use of alternate languages is optional and would not preclude the continued use of the English/Spanish sign. EPA has developed warning signs in 10 languages. To facilitate inspector some translations are provided below.

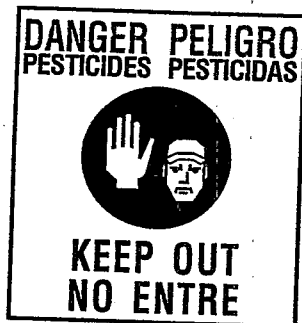


ILOCANO (Hawaii)

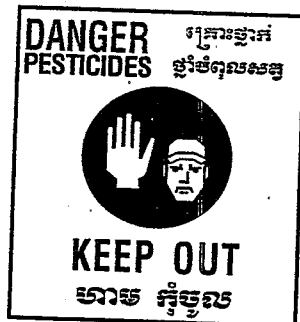


KOREAN

USE INSPECTION



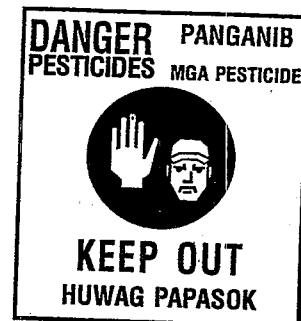
SPANISH



CAMBODIAN



LAOTIAN



TAGALOG (Philippines)



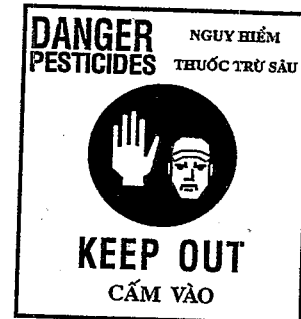
CHINESE (Traditional)



HAITIAN CREOLE



THAI



VIETNAMESE

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This amendment also allows use of two smaller warning signs in greenhouses and nurseries provided minimum letter size and posting distances are observed. Although the criteria does not include a requirement for a minimum size sign, EPA estimates that the criteria established for letter and circle sizes would result in sign sizes of approximately 7 inches by 8 inches and 4 1/2 inches by 5 inches.

7" x 8" size sign requires:

- **DANGER AND PELIGRO** in letters at least 7/8 inch in height and the remaining letters at least 1/2 inch in height,
- A red circle at least 3 inches in diameter containing an upraised hand on the left and a stern face on the right.
- The signs shall be no further than 50 feet apart.

4 1/2" x 5" sign requires:

- **DANGER and PELIGRO** in letters at least 7/16 inch in height and remaining letters at least 1/4 inch in height,
- a red circle at least 1 1/2 inches in diameter containing an upraised hand and a stern face,
- the signs shall be no further than 25 feet apart.

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Table 3.5 Requirements for Oral Warnings

Requirements for Oral Warnings
<ul style="list-style-type: none"> <li>• Oral warnings must be provided in a manner that the worker can understand (e.g., translation may be required).</li> <li>• If a worker will be on the premises during the application, the warning shall be given before the application takes place; otherwise, the warning shall be given at the beginning of the first work period during the time of application or REI.</li> <li>• Warning must give location and description of the treated area.</li> <li>• Warning must state the time during which the REI is in effect.</li> <li>• Employers must instruct workers not to enter the treated area until the REI is over or until signs are removed.</li> </ul>
<ul style="list-style-type: none"> <li>• Confirm that specific information about the location and nature of the pesticide application is/was displayed.</li> <li>• Verify that the employer assured that, from the start of the application until the end of the restricted-entry interval, a worker did not enter, work in, remain in, or pass through a treated area on foot on a farm, nursery, greenhouse or forest.</li> <li>• Verify that the following specific information was provided by the handler employer to the agricultural employer about scheduled pesticide applications on the agricultural</li> </ul>

### USE INSPECTION

establishment before the application has taken place. (refer to IGW Q&A 11.14.1)

- specific location and description of the pesticide-treated area,
- time and date of application,
- product name, EPA registration number, and active ingredient(s),
- restricted-entry interval(s),
- whether posting and/or oral notification are required,
- any other product-specific requirements on the product labeling concerning the protection of workers or other persons during or after the application.
- Verify that all product-specific requirements on the pesticide label and in the labeling concerning protection of workers and pesticide handlers or other persons during or after the application were followed.

(Reference EPA's HTC, p. 41, pps. 113-115)

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#### 2. APPLICATION AND ENTRY RESTRICTIONS

(For Workers see Sections 170.112 & 170.110; For Handlers see Section 170.210)

To ensure that the user is in compliance with application and entry restrictions, the inspector must:

- Verify that during application of any pesticide, the agricultural employer did not allow or direct any person other than an appropriately trained and equipped handler to enter or to remain in a treated area.
- Confirm that on farms, forests, greenhouses and nurseries, the handler employer and handler assured that no pesticide was applied so as to contact, either directly or through drift, any worker or other person.
- Verify that workers were prohibited from entering the treated area and any required border areas.
- **Nurseries.** [Section 170.110(b)] Also verify that the application-specific entry restrictions and restricted areas for nurseries were followed as specified in Table 3.6 on page 38.

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**Table 3.6 Entry-Restricted Areas in Nurseries During Pesticide Applications**

During Application of Pesticide	Workers are Prohibited in:
(1)(a) Applied: aerially, in an upward direction, or using a spray pressure greater than 150 psi, or (b) Applied as a fumigant, smoke, mist, fog, or aerosol.	Treated area plus 100 feet in all directions on the nursery.
(2)(a) Applied downward using: a height of greater than 12 inches from the planting medium, or a fine spray, or a spray pressure greater than 40 psi and less than 150 psi. (b) Not as in 1 or 2(a) above, but for which a respiratory protection device is required for application by the product labeling.	Treated area plus 25 feet in all directions on the nursery.
(3) Applied otherwise.	Treated area.

(Reference EPA's HTC, pps. 51-52)

- **Greenhouses** [See Sections 170.110(c) and 170.210(c)(1)(2)]

Verify that greenhouse specific entry restrictions and restricted areas for greenhouse were followed as specified in Table 3.7 on Page 40.

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- Verify that the ventilation criteria for pesticide applications in greenhouses were followed.
- Confirm compliance with the restricted-entry interval on the product labeling.

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**Table 3.7 Greenhouse Entry Restricted Areas Associated With Pesticide Applications**

A. When a Pesticide is Applied:		B. Workers are Prohibited in:
(1)	As a fumigant.	Entire greenhouse plus any adjacent structure that cannot be sealed off from the treated area.
(2)	As a smoke, mist, fog, or aerosol.	Entire enclosed area.
(3)	Not in 1 or 2 above, and a respiratory protection device is required for application by the product labeling.	Entire enclosed area.
(4)	Not in 1, 2, or 3 above, and from a height of greater than 12 inches from the planting medium, a fine spray, or a spray pressure greater than 40 psi and less than 150 psi.	Treated area plus 25 feet in all directions in the enclosed area.
(5)	Otherwise	Treated area.

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	C. Until:	D. After the Expiration of Time in Column C, Until the REI Expires, the Entry-Restricted Area is:
(1)	Ventilation shall continue until the air concentration is measured to be equal to or less than the inhalation exposure level the labeling requires to be achieved. If no inhalation exposure level is listed on the labeling, ventilation shall continue after 10 air exchanges are completed; or 2 hours of ventilation using fans or other mechanical ventilating systems; or 4 hours of ventilation using vents, windows or other passive ventilation; or 11 hours with no ventilation followed by 1 hour of mechanical ventilation; or 11 hours of no ventilation followed by 2 hours of passive ventilation; or 24 hours with no ventilation.	No entry restrictions after criteria in column C are met.
(2)		Entire enclosed area is the treated area.
(3)		Treated area.
(4)	Application is complete.	Treated Area.
(5)	Application is complete.	Treated Area.

(Reference EPA's HTC, pps. 53-55)



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### EXCEPTIONS: Early Entry Workers

EPA issued five regulatory amendments to revise the 1992 WPS. Two of the actions allowed early entry into pesticide treated areas to perform certain irrigation activities and limited contact activities. These exceptions allow workers to perform irrigation and limited contact tasks, during restricted entry interval (REI) up to 8 hours per 24 hours, that could not have been foreseen which, if delayed, would cause significant economic loss. This exception does not apply to double notification products.

- Inspectors must verify that any early entry into a treated area under an REI by workers was under the following exceptions:
  - Activities with no contact with treated surfaces.
  - Short-term activities (1 hour limit) that do not involve hand labor.
  - Agricultural emergency declared by a State, Tribal, or Federal Agency.
  - Limited contact activities and irrigation activities (8 hour limit/worker) that could not have been foreseen and if delayed, would cause significant economic loss.

The inspector through interviews and observations, must:

- Confirm that, if early entry did occur under the exception the worker had no contact with anything that has been treated with the pesticide to which the REI applies including but not limited to, soil, water, air or surfaces of plants.

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- Confirm that, if early entry did occur under the exception for short-term activities and agricultural emergencies, the following requirements were met:
  - No hand labor activities were performed under the exception for short-term activities except for an agricultural emergency.
  - No worker remained more than 1 hour in a 24-hour period in a treated area for short-term activities except for an agricultural emergency.
  - No worker entered the treated area within 4 hours of application, and at least until any inhalation exposure level listed on the product labeling has been reached or any WPS ventilation criteria have been met.
  - The PPE specified on the product labeling for early entry was provided to the worker and worn by the worker.
- Verify that early-entry workers were informed before entering the treated area, in a manner they can understand, about the safety information, first aid, symptoms of poisoning, personal protective equipment, and any other labeling requirements related to safe use.
- Inspect for maintenance, and storage of personal protective equipment.
- Check to assure decontamination supplies were provided as required.

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- Early entry workers were trained prior to entering the treated area.
- Ensure that the agricultural employer has not allowed or directed any handler/worker to wear or take home PPE contaminated with pesticides.

(Reference EPA's HTC, p. 61-70)

#### REQUIREMENTS FOR PESTICIDE HANDLERS DURING APPLICATION: (Section 170.210)

Confirm that the handler employer assured that the following handler-specific provisions were met during handling activities:

- Pesticide labeling was accessible to each handler during the entire handling task.
- Any handling of highly toxic pesticides or any product with the skull and crossbones symbol on the front panel was monitored visually, or by voice communication, by another handler at least once every two hours.
- Any handler who handles a fumigant in a *greenhouse*, including a handler who enters the greenhouse before the acceptable exposure level or ventilation criteria has been met, maintained continuous visual/voice contact with another equipped handler.

(Reference EPA's HTC, pps. 73-76)

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#### 3. PERSONAL PROTECTIVE EQUIPMENT (PPE) FOR HANDLERS AND EARLY ENTRY WORKERS (For Workers see Sec. 170.112, for Handlers see Sec. 170.240)

To ensure that the user is in compliance with PPE requirements for early entry workers and pesticide handlers, the inspector must verify that the agricultural/handler employer assured the following:

- Early-entry workers and pesticide handlers, before entering the treated area, have read the product labeling or have been informed, in a manner that the workers/handlers can understand, the labeling requirements related to human hazards or precautions, first aid, symptoms of poisoning, and the PPE specified for the workers/handlers.
- PPE specified on the labeling was provided to and used by the workers/handlers.
- PPE conformed to the standards specified on the product labeling.
- PPE was correctly worn by workers/handlers for its intended use.
- Each worker was instructed in how to put on, use, and remove the PPE and is informed about the importance of washing thoroughly after removing PPE.
- Workers/handlers had clean place(s) away from pesticide storage and pesticide-use areas to store personal clothing not

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in use, and to put on and remove PPE.

- PPE was cleaned according to the manufacturer's instructions or pesticide product labeling instructions before each day of reuse. In the absence of any such instructions, it was washed thoroughly in detergent and hot water.
- PPE was dried thoroughly or put in a well-ventilated place to dry before being stored.
- Contaminated PPE was kept and washed separately from any other clothing or laundry.
- Any person who cleans or launders PPE was informed by the agricultural employer that it may be contaminated with pesticides, of the potentially harmful effects of exposure to pesticides, and the correct way(s) to handle and clean contaminated PPE.
- PPE was stored separately from personal clothing and pesticide- contaminated areas. (refer to IGW Q & A 12.19)
- PPE was inspected by the agricultural employer for leaks, holes, tears, worn places, and any damaged equipment was repaired or discarded before use.
- PPE that cannot be cleaned is properly disposed of in accordance with Federal, State, and local regulations.
- When appropriate, the workers/handlers were instructed in

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the prevention, recognition, and first-aid treatment of heat-related illness.

- Workers/handlers were restricted from wearing or taking home contaminated PPE.
- Dust/mist filters used in handler dust/mist masks or respirators were replaced per Section 170.240(F)6.
- Gas or vapor absorbing canisters or cartridges used in handlers' gas and vapor absorbing respirators were replaced per Section 170.240(F)7.

(Reference EPA's HTC, pps. 69-70, 79-81)

### EXCEPTIONS TO PPE SPECIFIED ON PRODUCT LABELING [Section 170.240(d)]

If handling tasks are performed using properly functioning systems that enclose the pesticide to prevent it from contacting handlers and if such systems are maintained in accordance with the manufacturer's instructions, exceptions to labeling-specified PPE for the handling activity is allowed for the following three systems. The handlers must be provided all PPE required by the pesticide labeling for that task and have it immediately available for use in an emergency.

#### 1. A Closed System [Section 170.240(d)(4)]

The inspector must verify that the handler used a properly functioning closed system, which was maintained in accordance with manufacturer's operating instructions.

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- Persons using a closed system to mix or load pesticides with the signal word "DANGER" or "WARNING" may substitute for PPE specified on the labeling with:
  - Long-sleeved shirt and long pants.
  - Shoes and socks.
  - A chemical-resistant apron.
  - Protective gloves specified on the pesticide labeling for handling tasks.
- When mixing or loading pesticides with the signal word "CAUTION," handlers may substitute for the labeling-specified PPE with:
  - Long-sleeved shirt and long pants.
  - Shoes and socks.
- When conducting handling tasks **other than** mixing and loading with ANY pesticide, handlers must wear:
  - Long-sleeved shirt and long pants.
  - Shoes and socks.
- If handlers are working in a closed system which operates under pressure, they may wear the PPE identified above, but

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add protective eyewear.

#### 2. An Enclosed Cab [Section 170.240(d)(5)]

If the cab has a nonporous barrier which prevents contact with the pesticides outside of the cab, exception to PPE specified on the product labeling for that handling activity is permitted.

- Persons occupying an enclosed cab that has a properly functioning ventilation system which is used and maintained in accordance with the manufacturer's operating instructions and which is declared in writing by the manufacturer or by a governmental agency to provide respiratory protection equivalent to a dust/mist filtering respirator may substitute a long-sleeved shirt, long pants, shoes, and socks for the labeling-specified PPE. ( refer to IGW Q & A 12.11)
- In cabs which DO NOT provide respiratory protection, handlers may substitute for the labeling-specified PPE with:
  - Long-sleeved shirt and long pants.
  - Shoes and socks.
  - Any respirator required for the handling task.
- In cabs which DO provide respiratory protection equal to that listed on the label, handlers may substitute for the labeling-specified PPE with:
  - Long-sleeved shirt and long pants.

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- Shoes and socks
- In ANY enclosed cab where reduced PPE is worn, handlers must:
  - Have ALL PPE listed on the label for the task being performed immediately available.
  - Wear the PPE if it is necessary to exit the cab and contact pesticide-treated surfaces.
  - Remove PPE worn in the treated area before reentering cab.
  - Store all PPE in a chemical-resistant container to prevent contamination inside the cab. (refer IGW O & A 12.10)

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- Shoes and socks instead of chemical-resistant footwear.
- A helmet instead of a chemical-resistant hat or hood.
- In an enclosed cockpit, handlers may substitute for the labeling-specified PPE with:
  - Long-sleeved shirt and long pants.
  - Shoes and socks.

(Reference EPA's HTC, pps. 85-87)

SPECIFIC PPE REQUIREMENTS FOR PESTICIDE HANDLERS: (Section 170.240)

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- If pesticide removal was not feasible, the person who repaired, cleaned, or adjusted the equipment had to be informed that such equipment may have been contaminated with pesticides and of the correct way to handle such equipment.

**EXCEPTION FOR CROP ADVISORS:** Inspector verified that **certified or licensed crop advisors and persons under their direct supervision** entered the treated area after the pesticide application to perform crop advising tasks. (EPA has amended the WPS to exempt qualified crop advisors from the PPE requirements and allowed them to choose appropriate protection while performing crop advising tasks. The rule became effective July 17, 1995).

#### 4. **PESTICIDE SAFETY TRAINING** (For Workers, see Section 170.130; for Handlers, see Section 170.230)

Effective January 1, 1996, agricultural employers must assure that workers receive **basic pesticide safety information** before they enter a treated area on the establishment. This would provide basic safety information to workers while they wait for the complete WPS pesticide safety training which is required within 5 days of entering a treated area.

To ensure that the agricultural employer is in compliance with pesticide safety training requirements, the inspector must verify that:

- General pesticide safety information was presented to

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workers/handlers in a manner that could be understood orally or using written or audiovisual training materials.

Verify that the **basic pesticide safety information** included the following information before they entered a treated area on the establishment:

(1) Pesticides may be on or in plants, soil, irrigation water, or drift from nearby applications.

(2) Workers should prevent pesticides from entering their body by:

- Following directions and/or signs about keeping out of treated area.
- Washing before eating, drinking, using chewing gum or tobacco, or using the toilet.
- Wearing work clothing that protects the body from pesticide residues.
- Washing/showering with soap and water, shampoo hair, and put on clean clothes after work.
- Washing work clothes separately from other clothes before wearing them again.
- Washing immediately in the nearest clean water if pesticides are spilled or sprayed on the body.
- Additional pesticide safety training will be provided within 5 days of entry into treated areas.

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#### GENERAL COMPLETE WPS SAFETY TRAINING REQUIREMENTS FOR WORKERS AND HANDLERS:

- Confirm that the person who conducted the worker/handler safety training meets one of the following criteria:
- Be a certified applicator of restricted-use pesticides at the time of training; or
- Be designated as a trainer of certified pesticide applicators or pesticide handlers by a State, Federal, or Tribal agency having jurisdiction; or
- Have completed a pesticide safety train-the-trainer program approved by State, Federal, or Tribal agency having jurisdiction.

Verify that the WPS pesticide safety training materials presented to workers/handlers WITHIN 5 DAYS of entry into any areas on the establishment included, at a minimum:

- Where and in what form pesticides may be encountered during work activities.
- Hazards of pesticides resulting from toxicity and exposure, including acute and chronic effects, delayed effects, and sensitization.
- Routes through which pesticides can enter the body.

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- Signs and symptoms of common types of pesticide poisoning.
- Emergency first aid for pesticide injury or poisoning.
- How to obtain emergency medical care.
- Routine and emergency decontamination procedures, including emergency eye flushing techniques.
- Hazards from chemigation and drift.
- Hazards from pesticide residues on clothing.
- Warnings about taking pesticides or pesticide containers home.
- An explanation of the WPS requirements designed to protect workers, including application and entry restrictions, design of the warning sign, posting of warning signs, oral warnings, availability of specific information about applications, and protection against retaliatory acts.

(Reference EPA's HTC, pps.25-28)

#### REQUIREMENTS FOR PESTICIDE SAFETY TRAINING FOR HANDLERS: (Section 170.230)

- Verify that the handler/agricultural employer assured that all pesticide handlers received safety training as required before performing any handling tasks.

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- Confirm that the general pesticide safety training materials for **pesticide handlers** included:
  - Format and meaning of information contained on pesticide labels and in labeling, including safety information such as human health hazard precautionary statements.
  - Hazards of pesticides resulting from toxicity and exposure, including acute effects, chronic effects, delayed effects, and sensitization.
  - Routes through which pesticides can enter the body.
  - Signs and symptoms of common pesticide poisoning.
  - Emergency first aid for pesticide injuries or poisonings.
  - How to obtain emergency medical care.
  - Routine and emergency decontamination procedures, including emergency eye flushing techniques.
  - Need for and appropriate use of PPE.
  - Prevention, recognition, and first-aid treatment of heat-related illness.
  - Safety requirements for handling, transporting, storing, and disposing of pesticides, including general procedures

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for spill cleanup.

- Environmental concerns such as drift, runoff, and wildlife hazards.
- Warnings about taking pesticides or pesticide containers home.
- An explanation of WPS requirements that handler employers must follow for the protection of handlers and others, including the prohibition against applying pesticides in a manner that will cause contact with workers or other persons, the requirement to use PPE, the provisions for training and decontamination, and the protection against retaliatory acts.
- Check and document that the handler read the product labeling or had been informed, in a language the handler could understand, of all labeling requirements related to safe use of the pesticide, such as signal words, human hazard precautions, PPE requirements, first-aid instructions, environmental precautions, and any additional precautions pertaining to the handling activity performed.
- Verify and document that the handler had access to the product labeling during handling activities.  
  
(Reference EPA's HTC, pps. 75-76)
- Verify that the pesticide safety training materials for



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workers and handlers was either:

- WPS training material developed by EPA, or
- equivalent material that contains the concepts listed in the criteria for worker and handler training.

(Reference EPA's HTC pps. 27, 38-41)

**Note:** EPA has prepared training material; however, employers are not required to use these materials.

**EXCEPTIONS:** The following persons need not be trained:

- ✓ A worker who is certified as an applicator of restricted-use pesticides under part 171.
- ✓ A worker who satisfies the training requirements of part 171.
- ✓ A worker who satisfies the handler training requirement of 170.230(c).
- ✓ A worker who is certified or licensed as a crop advisor by a program approved by EPA or a State or Tribal lead agency for pesticide enforcement and includes all the information in 170.230(c)(4).

**5. POSTED PESTICIDE SAFETY INFORMATION** (For Workers see Section 170.122, 170.135; for Handlers see Section 170.235)

The inspector must verify that information described below, is displayed at a central location on the agricultural site where it

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is readily accessible, can be seen and read by handlers/workers, where within the last 30 days, a pesticide covered by the WPS has been applied. In forests, information should be displayed in or near the forest where it can be readily seen and read by handlers and where handlers are likely to congregate or pass by, such as at a decontamination site or an equipment storage site.

**PESTICIDE SAFETY POSTER:** To ensure that the agricultural employer complies with the WPS requirements for a pesticide safety poster, the inspector must:

- Check for a pesticide safety poster displayed in an easily accessible, central location. If it is not the EPA approved poster, photographing the poster is recommended.
- Verify that the safety poster conveys the following basic pesticide safety concepts to workers/handlers:
  - Avoid getting pesticides on your skin or into your body any pesticides that may be on plants and soil, in irrigation water, or drifting from nearby applications.
  - Wash before eating, drinking, chewing gum, using tobacco, or using the toilet.
  - Wear work clothing that protects your body from pesticide residues, such as long-sleeved shirts, long pants, shoes, socks, and hats or scarves.
  - Wash or shower with soap and water, shampoo your hair,

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and put on clean clothes after work.

- Wash work clothes separately from other clothes before wearing them again.
- Wash immediately in the nearest clean water if pesticides are spilled or sprayed on your body; as soon as possible, shower, shampoo, and change into clean clothes.
- Follow directions about keeping out of treated or restricted areas.

• In addition, the WPS Safety Poster must tell workers/handlers that there are Federal rules to protect them; including a requirement for safety training.

• Check and document that workers/handlers have been informed of the location of the safety poster.

• Check and document that the workers/handlers have access to the pesticide safety poster.

• Determine if the safety poster is legible.

(Reference EPA's HTC, pps. 23-24)

### EMERGENCY MEDICAL CARE INFORMATION (Section 170.135(c))

- Determine if the address and telephone number of the nearest

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emergency medical care facility is located on or near the safety poster.

- Confirm that the employer has promptly informed workers/handlers of any change to the information on emergency medical care facilities on or near the safety poster.

(Reference EPA's HTC, pps. 23-24)

### PESTICIDE APPLICATION INFORMATION (Section 170.122)

- Confirm that the specific application information is posted near the safety poster before the pesticide application or at the same time.

- Verify that the information includes the location and description of the treated area, product name, EPA Reg. No., active ingredient(s) of the pesticide, time and date the pesticide was applied, and the restricted-entry interval for the pesticide. Check if the information was updated, if the treated area is moved (potted plants). (refer to IGW Q & A 13.22)

(Reference EPA's HTC, pps. 23-24)

### 6. DECONTAMINATION (For Workers see Section 170.150; For Handlers see Section 170.250)

To ensure that all requirements concerning the

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decontamination site are/were met, the inspector must:

- Verify that the employer provided decontamination supplies for washing off pesticide residues if an early entry worker performed an activity in a treated area where a restricted-entry interval was in effect or had expired within thirty days (suggested amount 1 gal/worker/day) (photographing the site is recommended).

NOTE: On June 26, 1996, EPA amended the WPS by reducing the length of time for which decontamination supplies are required for workers at 7 days following the end of REI. This applies only pesticides which are low risk and have restricted-entry intervals of 4 hours or less. The decontamination requirements for all other pesticides are not affected by this amendment.

- Determine if the employer-provided decontamination supplies for washing off pesticide residues for any activity.
- Determine if the decontamination supplies are not in an area being treated with pesticides or is under a restricted-entry interval.
- Verify that the decontamination supplies provided by the employer for **workers and handlers** included the following:
  - Decontamination supplies were reasonably accessible to and not more than one quarter mile from where

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workers/handlers are working as required in the regulation.

- Water of a temperature that will not cause illness or injury when it contacts the skin or eyes, or if it is swallowed, in adequate supply (suggested amount 3 gal/handler/day) for washing the entire body in case of an emergency as well as for routine washing by workers/handlers.
- Water properly stored in a tank. The water must not be used for mixing pesticides unless mechanisms are used to prevent pesticides from moving into the tank (refer to IGW Q & A 3.21).
- Soap and single-use towels in quantities sufficient to meet workers'/handlers' needs.
- An **eye flush dispenser** with at least one pint of water for handlers and early entry workers required by the pesticide labeling to wear protective eyewear. The emergency eye flush water must be immediately accessible.
- For handlers, after handling activities, and workers engaged in early entry activities, provisions of soap, clean towels, and sufficient clean water so that the handlers/workers may wash thoroughly after removing PPE.

### USE INSPECTION

Verify For Handlers Only:

- The decontamination supplies must have one clean change of clothes. This could be a "one size fits all" coverall for pesticide handlers.

#### EXCEPTIONS: Decontamination [Section 170.250(1)(2)(3)]

- For mixing activities, the decontamination site shall be at the mixing site.
- For a pilot who is applying pesticides aerially, the decontamination site must be at the aircraft's loading site or in the plane.
- For tasks performed more than one quarter mile from the nearest point reachable by cars or trucks, the decontamination site may be at the nearest access point. In this circumstance, clean water from springs, streams, lakes, or other sources may be used for decontamination if such water is more readily available than the water at the decontamination site.

(Reference EPA's HTC, pps. 29-31)

**EXCEPTION:** No decontamination supplies are required for crop advisors.

### USE INSPECTIONS

#### 7. EMERGENCY ASSISTANCE (For Workers see Section 170.160; For Handlers see Section 170.260)

The inspector should verify that the employer did the following if a worker/handler may have been poisoned or injured by pesticides used at the site through exposure, splash, spill, drift, or pesticide residues:

- promptly make available transportation from the place of employment or the handling site to an appropriate emergency medical facility by (refer to IGW Q & A 8.12, 8.13 & 8.14):
  - taking the employee to the emergency medical facility, or
  - calling an ambulance
- promptly provide on request to the worker/handler or treating medical personnel the following information:
  - product name, EPA registration number, and active ingredients in any product to which the worker/handler might have been exposed
  - antidote, first aid, and any other medical information from the product labeling
  - information about the circumstances of application or use of the pesticide at the site, or about the exposure of the worker/handler to the pesticide

**USE INSPECTION**

**NOTES**

(Reference EPA's HTC, pps. 35-36)

**EXCEPTION:** Crop advisors are exempt from this provision.

8. RETALIATION [(For Workers and Handlers see Section 170.7(b))]

By interviewing workers, the inspector should determine that the employer DID NOT take any action having the effect of preventing or discouraging any worker/handler from complying or attempting to comply with any regulations of 40 CFR Part 170.

(Reference EPA's HTC, p.19)